

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/538,160
		Filing Date	June 8, 2005
		First Named Inventor	Danny A. Grant
		Art Unit	unassigned
		Examiner Name	George Dombroske
Total Number of Pages in This Submission	32	Attorney Docket Number	IMMR-0152A (034701-510)

ENCLOSURES (check all that apply)

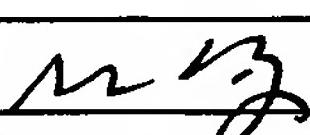
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Response to dismissal of request to change inventorship; Credit card payment form; Copy of decision; Five complete copies of Declaration & Power of Attorney documents
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Theelen Reid Brown Raysman & Steiner LLP		
Signature			
Printed Name	Khaled Shami		
Date	March 1, 2007	Reg. No.	38,745

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Date	March 1, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Danny A. Grant et al.
SERIAL NO.: 10/538,160
FILING DATE: June 8, 2005 CONFIRMATION NO.: 3287
TITLE: Methods And Systems For Providing Haptic Messaging To Handheld Communication Devices
EXAMINER: George Dombroske
TELEPHONE: (571) 272-3283
FAX: (571) 273-0459
ART UNIT: unassigned

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**Response to Dismissal of Request to Change Inventorship
Under 37 CFR 1.497(d), and Request for Reconsideration**

Sir:

Reconsideration of the dismissal of the request to change inventorship under 37 CFR 1.497(d) is respectfully requested. The request was dismissed due to Applicant's stated failure to meet requirements (3) and (4) of 37 CFR 1.497(d).

Regarding requirement (3), the assignment as been recorded, in **Reel 017847/Frame 0531.**

Regarding requirement (4), submitted herewith are five complete Declaration & Power of Attorney documents. Applicants respectfully submit that the uninitialed alteration in the

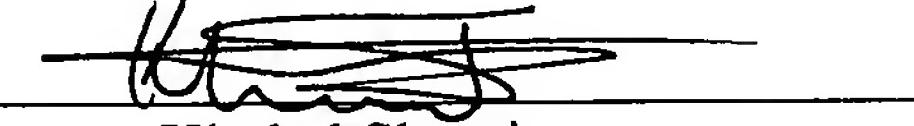
document signed by inventor Shahoian was merely to correct a typographical error. This is evidenced by the fact that "Shahoian" is correctly spelled in a different part (page 3) of the same Declaration document. Moreover, the alteration is merely to the printed portion of Mr. Shahoian's name, above which his complete signature—not merely his initials—is provided.

Early favorable consideration is respectfully requested.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,
THELEN REID BROWN RAYSMAN & STEINER LLP

Dated: March 1, 2007


Khaled Shami

Reg. No. 38,745

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DECISION

In re Application of
Grant et al.
Application No.: 10/538,160
PCT No.: PCT/US03/38899
Int. Filing Date: 08 December 2003
Priority Date: 08 December 2002
Attorney Docket No.:IMMR-0152A (034701-000510)
For: Methods And Systems For Providing Haptic :
Messaging To Handheld Communication Devices

This is in response to the "Petition To Correct Inventorship Under 37 CFR 1.497" filed on 27 June 2006, which is being treated under 37 CFR 1.497(d).

BACKGROUND

This international application was filed on 08 December 2003, claimed an earlier priority date of 08 December 2002, and designated the U.S. The 30 month time period for paying the basic national fee in the United States expired at midnight on 08 June 2005. Applicant filed *inter alia* the basic national fee on 08 June 2005.

On 23 February 2006, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant, requiring the submission of an executed oath or declaration and a surcharge under 37 CFR 1.492(h).

DISCUSSION

The declaration of the inventors filed on 27 June 2006 nominates two inventors, Erik J. Shahonian and Dean C. Chang, who were not nominated in the published international application, nor is an appropriate Form PCT/IB/306 present in the application file. Counsel requests treatment under 37 CFR 1.497. A declaration filed under 37 CFR 1.497 (d) must be by the actual inventor or inventors as required under 37 CFR 1.63 or as permitted by 37 CFR 1.42, 1.43 or 1.47. The declaration must be accompanied by (1) a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part, (2) the processing fee set forth in 37 CFR 1.17; and (3) if an assignment has been executed by any of the original named inventors, the written consent of the assignee (See 37 CFR 3.73(b)). See Section 201.03 of the Manual of Patent Examining Procedure (M.P.E.P.).

Regarding requirement (1), applicants have provided an appropriate statement by each of Erik J. Shahonian and Dean C. Chang.

Regarding requirement (2), the required processing fee has been paid.

Regarding requirement (3), the "Consent of Assignee" document included among the instant correspondence is signed on behalf of Immersion Corporation by Laura Peter in the capacity of "Vice President and General Counsel," and who further states that she is "authorized to execute this Consent of

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Assignee." The "Consent of Assignee" is accompanied by a "Statement Under 37 CFR 3.73(b)," also signed by Ms. Peter, which asserts that Immersion Corporation is "the assignee of the entire right, title and interest" in this application. The "Statement..." references attached "copies of assignments or other documents in the chain of title." A copy of an assignment document has provided; however, the assignment is accompanied by neither an instruction to record the assignment nor by a statement specifying where documentary evidence of a chain of title is recorded in the assignment records of the USPTO (e.g., reel and frame number). As such, applicants have failed to comply with 37 CFR 3.73(b). Therefore, requirement (3) has not been satisfied.

Inspection of the declaration filed on 27 June 2006 reveals that it appears to have been assembled by aggregating individual sheets signed by each of the inventors into a single document. Since counsel has not provided copies of the complete declaration documents signed by each inventor, it is not clear that each inventor had the benefit of signing a complete copy of the declaration document. Moreover, the declaration includes an uninitialed alteration to Mr. Shahoian's name. Therefore, it would not be appropriate to grant the requested relief at this time.

CONCLUSION

The request under 37 CFR 1.497(d) is **DISMISSED**, without prejudice.

If reconsideration on the merits of this matter is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a). Failure to timely reply will result in **ABANDONMENT** of this application. Any reconsideration request should include a cover letter entitled "Renewed Submission Under 37 CFR 1.497(d)". No additional processing fee is required.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the PCT Legal Office.



Leonard Smith
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Office of PCT Legal Administration



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